

Appl. No. 10/037,559
Amdt. Dated January 18, 2005
Reply to Office Action of December 16, 2004

Docket No. TC00122
Customer No.. 23330

REMARKS

Claims 1-12, 15, 18 and 20-29 have been cancelled. Claims 13, 16 and 19 have been amended. Claims 13, 14, 16, 17 and 19 remain in the application. The actions taken are in the interest of expediting prosecution and with no intention of surrendering any range of equivalents to which Applicants would otherwise be entitled in view of the prior art. Moreover, the amendment or cancellation of claims herein is without prejudice to pursuing claims of different scope by way of continuing Application. Reconsideration of this application is respectfully requested.

U.S.C. 103

Claims 1-3 and 21-23 are rejected under U.S.C. §103(a) as being unpatentable over Durain et al. (U.S. Patent Application No. 2002/0025832). Claims 1-3 and 21-23 have been cancelled rendering this rejection moot.

Claims 4-12, 15, 18, 20 and 24-29 are rejected under U.S.C. § 103(a) as being unpatentable over Durain et al. in view of Eitzenberger (U.S. Patent No. 6,023,232). Claims 4-12, 15, 18, 20 and 24-29 have been cancelled rendering this rejection moot.

ALLOWABLE SUBJECT MATTER

It was stated in the Office action that claims 13, 14, 16, 17 and 19 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 13, 16 and 19 have been rewritten to be in independent form including all of the limitation of the base claim.

Prior Art

The references cited but not relied upon are believed not to anticipate or make obvious Applicants' invention.

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Summary

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.


Accordingly, this application is believed to be in proper form for allowance and an early notice of allowance is respectfully requested.

Please charge any fees associated herewith, including extension of time fees, to 502117.

Respectfully submitted,

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